



# Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

## PART 2

### ADDITIONAL LEARNING NEEDS

#### CHAPTER 3

##### SUPPLEMENTARY FUNCTIONS

###### *Miscellaneous functions*

#### **65 Duties to provide information and other help**

- (1) Subsection (2) applies if a local authority requests a person mentioned in subsection (4) to exercise the person's functions to provide the authority with information or other help, which it requires for the purpose of exercising its functions under this Part.
- (2) The person must comply with the request unless the person considers that doing so would—
  - (a) be incompatible with the person's own duties, or
  - (b) otherwise have an adverse effect on the exercise of the person's functions.
- (3) A person that decides not to comply with a request under subsection (1) must give the local authority that made the request written reasons for the decision.
- (4) The persons are—
  - (a) another local authority;
  - (b) a local authority in England;
  - (c) the governing body of a maintained school in Wales or England;

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**Changes to legislation:** Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 65 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (d) the governing body of an institution in the further education sector in Wales or England;
  - (e) the proprietor of an Academy;
  - (f) a youth offending team for an area in Wales or England;
  - (g) a person in charge of relevant youth accommodation in Wales or England;
  - (h) a Local Health Board;
  - (i) an NHS trust;
  - [<sup>F1</sup>(j) NHS England;]
  - [<sup>F2</sup>(k) an integrated care board;]
  - (l) an NHS foundation trust;
  - (m) a Special Health Authority.
- (5) Regulations may provide that, where a person is under a duty to comply with a request under this section, the person must comply with the request within a prescribed period, unless a prescribed exception applies.

#### Textual Amendments

- F1** S. 65(4)(j) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 1 para. 36(a)**; [S.I. 2022/734, reg. 2\(a\)](#), [Sch. \(with regs. 13, 29, 30\)](#)
- F2** S. 65(4)(k) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 4 para. 233(a)**; [S.I. 2022/734, reg. 2\(a\)](#), [Sch. \(with regs. 13, 29, 30\)](#)

#### Commencement Information

- I1** S. 65 in force at 2.11.2020 for specified purposes by [S.I. 2020/1182, reg. 3\(1\)\(h\)](#)
- I2** S. 65 in force at 1.9.2021 for specified purposes by [S.I. 2021/373, arts. 3, 4](#) (as amended by [S.I. 2021/938, art. 2\(3\)](#))
- I3** S. 65 in force at 1.9.2021 for specified purposes by [S.I. 2021/373, arts. 6, 7](#) (as amended by [S.I. 2021/938, art. 2\(4\)\(5\)](#))
- I4** S. 65 in force at 1.1.2022 for specified purposes by [S.I. 2021/1244, art. 3\(l\)](#) (with arts. 4-21) (as amended by [S.I. 2021/1428, art. 3](#); and (10.6.2022) by [S.I. 2022/663, art. 3](#); and (21.8.2023) by [S.I. 2023/932, art. 3](#))
- I5** S. 65 in force at 1.1.2022 for specified purposes by [S.I. 2021/1245, arts. 3\(l\), 4](#) (with art. 1(4))
- I6** S. 65 in force at 1.1.2022 for specified purposes by [S.I. 2021/1243, art. 3\(l\)](#) (with arts. 4-23) (as amended by [S.I. 2021/1428, art. 2](#); (10.6.2022) by [S.I. 2022/663, art. 2](#) and (21.8.2023) by [S.I. 2023/932, art. 2](#))
- I7** S. 65 in force at 1.9.2022 for specified purposes by [S.I. 2022/896, art. 3\(l\)](#) (with arts. 4-22) (as amended (21.8.2023) by [S.I. 2023/932, art. 5](#))
- I8** S. 65 in force at 1.9.2022 for specified purposes by [S.I. 2022/894, art. 3\(l\)](#)
- I9** S. 65 in force at 1.9.2022 for specified purposes by [S.I. 2022/892, art. 3\(l\)](#) (with arts. 2, 4-18)
- I10** S. 65 in force at 1.9.2022 for specified purposes by [S.I. 2022/897, art. 3\(l\)](#) (with arts. 1(8), 4-21) (as amended (21.8.2023) by [S.I. 2023/932, art. 6](#))
- I11** S. 65 in force at 1.9.2022 for specified purposes by [S.I. 2022/898, arts. 2\(l\), 3](#)
- I12** S. 65 in force at 1.9.2022 for specified purposes by [S.I. 2022/893, art. 4](#) (with art. 1(2))
- I13** S. 65 in force at 1.9.2022 for specified purposes by [S.I. 2022/891, art. 3\(l\)](#) (with arts. 4-25) (as amended (21.8.2023) by [S.I. 2023/932, art. 4](#))
- I14** S. 65 in force at 1.9.2022 for specified purposes by [S.I. 2022/895, arts. 3\(l\), 4](#)

**Changes to legislation:**

Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 65 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- s. 65 coming into force by [S.I. 2022/893 art. 2\(l\)](#)
- s. 65(4)(j) substituted by [2022 c. 31 Sch. 1 para. 36\(b\)](#) (Amendment to Welsh text only)
- s. 65(4)(k) substituted by [2022 c. 31 Sch. 4 para. 233\(b\)](#) (Amendment to Welsh text only)
- specified provision(s) coming into force by [S.I. 2021/381 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/381 revoked (12.8.2021) by S.I. 2021/938, art. 3)
- specified provision(s) coming into force by [S.I. 2021/383 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/383 revoked (12.8.2021) by S.I. 2021/938, art. 4)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(3)(ca)(cb) inserted by [2022 asc 1 Sch. 4 para. 39\(2\)](#)
- s. 5(1)(da) inserted by [2022 asc 1 Sch. 4 para. 39\(3\)](#)
- s. 65(4)(da)(db) inserted by [2022 asc 1 Sch. 4 para. 39\(5\)](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) coming into force by [S.I. 2022/893 art. 2\(o\)\(xi\)](#)